

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-5 and 16-21 were under consideration in the application, of which Claims 1 and 16 are independent. Claims 6-15 were previously withdrawn from consideration. In the Office Action dated June 18, 2009, Claims 1-2, 16-17, and 21 were rejected under 35 U.S.C. § 102(e) and Claims 3-5 and 18-20 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-5 and 16-31 remain in this application with Claims 6-15 being canceled without prejudice or disclaimer and new Claims 22-31 being added by this Amendment. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. §§ 102(e) and 103(a)

In the Office Action dated June 18, 2009, the Examiner rejected Claims 1-5 and 16-21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2005/0022131 ("*Saint-Hilaire*"). In addition, the Examiner rejected Claims 3-5 and 18-20 under 35 U.S.C. § 103 (a) as being unpatentable over *Saint-Hilaire*. Claims 1 and 16 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein sending the at least one create resources packet to create the resources for rendering the composition comprises sending the at least one create resources packet comprising information associated with time stamped values." Amended Claim 16 is patentably distinguishable over the cited art for at least

the reason that it recites, for example, “wherein creating the at least one resource for rendering the composition comprises creating the at least one resource for rendering the composition based at least in part on a received series of time stamped values.”

Support for these amendments can be found in the specification at least in paragraph [0058].

In contrast, *Saint-Hilaire* does not disclose transmitting a series of time stamped values. For example, *Saint-Hilaire* merely discloses that a server may transmit a SetMotionVector command to the remote device in order to request an image object be animated in a specified manner. (See *Saint-Hilaire* paragraph [0032].) *Saint-Hilaire*’s server may transmit the SetMotionVector command to the remote device with an index that references the image object, x-axis coordinates, y-axis coordinates, and a time period. (See *Saint-Hilaire* paragraph [0032].) A video processor in *Saint-Hilaire* may then retrieve the image object associated with the index and may periodically update a frame buffer such that the image object moves from location (X1, Y1) to location (X2, Y2) over the time period. (See *Saint-Hilaire* paragraph [0032].) Though *Saint-Hilaire* transmits instructions comprising a time period over which animation is to occur, *Saint-Hilaire* remains silent regarding transmitting interval timestamps associated with resource animation. Rather, in *Saint-Hilaire*, intervals are not transmitted but derived by processing received instructions comprising an object’s starting point, ending point, and a general time period for propagating from the starting point to the ending point. (See *Saint-Hilaire* paragraph [0032].)

Saint-Hilaire does not anticipate or lead to the claimed subject matter because *Saint-Hilaire* at least do not disclose “wherein sending the at least one create resources packet to create the resources for rendering the composition comprises sending the at least one create resources packet comprising information associated with time stamped values,” as recited by amended Claim 1, and “wherein creating the at least one resource for rendering the composition comprises creating the at least one resource for rendering the composition based at least in part on a received series of time stamped values,” as recited by amended Claims 16. Accordingly, independent Claims 1 and 16 each patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1 and 16.

Dependent Claims 2-5 and 17-21 are also allowable at least for the reasons described above regarding independent Claims 1 and 16, and by virtue of their respective dependencies upon independent Claims 1 and 16. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-5 and 17-21.

II. New Claims

Claims 22-31 have been added to more distinctly define and to round out the protection for the invention to which Applicants are entitled. Applicants respectfully submit that these claims are allowable over the cited art and that they add no new matter.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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